

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68317 of 2023

Arising Out of PS. Case No.-629 Year-2021 Thana- PATRAKARNAGAR District- Patna

Amit Kumar @ Ankit Patel @ Bhoma, S/O Late Brahmdev Prasad, R/O
Behind Gandhi School, Bhaiani Tola, Mansoor Ganj, P.S.-MALSALAMI,
Distt.-PATNA

... .. Petitioner/s

Versus

The State Of Bihar Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand Kumar, Advocate

For the Opposite Party/s : Mr.Rajendra Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 18-10-2023 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Patrakar Nagar P.S. Case No.629/2021 lodged on 04.11.2021
under Section 392 of the Indian Penal Code.

3. As per the prosecution case, the FIR has been
lodged against three unknown accused persons with an
allegation of snatching a gold chain of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. The
petitioner is not named in the FIR, rather his name has figured
in this case by virtue of confessional statement of co-accused,
Krishna Kumar. Nothing has been recovered from the conscious



possession of the petitioner nor the petitioner has put on Test Identification Parade. The petitioner has been remanded in this case on 05.07.2023 and since then he is in custody. The petitioner is accused in five more criminal case in which he is on bail.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the antecedent of the petitioner is not clean and this aspect may be taken into consideration at the time of granting bail.

6. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, but only after framing of charge, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned J.M.-1, Patna, in connection with Patrakar Nagar P.S. Case No.629/2021, subject to the conditions as laid down U/s 437(3) Cr.P.C. as well as the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive



dates without plausible reason will entail cancellation of his bail bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every month for one year to mark attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of the bail bonds; and

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

(Dr. Anshuman, J)

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